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Attorneys for Plaintiff
Association of Irritated Residents

**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION**

ASSOCIATION OF IRRITATED RESIDENTS,) Case No. 09-cv-01890-CW
an unincorporated association,)
Plaintiff,)
v.)
UNITED STATES ENVIRONMENTAL)
PROTECTION AGENCY, LISA JACKSON,)
in her official capacity as Administrator of)
the United States Environmental)
Protection Agency, and LAURA YOSHII,)
in her official capacity as Acting)
Regional Administrator for Region IX)
of the United States Environmental)
Protection Agency,)
Defendants.

**STIPULATION TO EXTEND TIME TO
FILE A BILL AND A MOTION FOR
COSTS**

Defendants.

**STIPULATION TO EXTEND TIME
TO FILE A BILL AND MOTION FOR COSTS**

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4 WHEREAS, on April 30, 2009, Plaintiff Association of Irritated Residents filed the
5 above-captioned matter against the United States Environmental Protection Agency (“EPA”),
6 alleging that EPA has failed to undertake certain nondiscretionary duties under the Clean Air
7 Act, 42 U.S.C. §§ 7401-7671q, and that such alleged failures are actionable under section
8 304(a)(2) of the Clean Air Act, 42 U.S.C. § 7604(a)(2);
9

10 WHEREAS, the parties have agreed to a private settlement of this action, thereby
11 reducing litigation expenses and preserving the Court’s resources;

12 WHEREAS, on December 30, 2009, the Court entered a Consent Decree in the above-
13 captioned matter;

14 WHEREAS, in that Consent Decree, the deadline to file a bill of costs pursuant to local
15 rule 54-1 and a motion for costs of litigation, including reasonable attorneys’ fees, was set for 60
16 days after the entry of the Consent Decree;

17 WHEREAS, the parties are currently negotiating fees and believe they can resolve
18 informally the issue of fees and costs without a motion;

19 WHEREAS, any final settlement of this case must be approved by authorized officials at
20 the United States Department of Justice and EPA, a process that can take several weeks;

22 WHEREAS, the only other requested extension of time was to facilitate settlement
23 discussions;

24 WHEREAS, the parties believe that the requested extension will not adversely affect the
25 schedule of this case;

26 NOW THEREFORE, pursuant to Local Rules 6-2 and 7-12, the parties, by and through
27 their undersigned counsel, hereby stipulate to the following:

28 STIPULATION TO EXTEND TIME
TO FILE A BILL AND MOTION FOR COSTS

1. AIR's time to file a Bill of Costs and Motion for Costs and Fees is extended by 60 days to April 29, 2010.

COUNSEL FOR PLAINTIFF:

Dated: 2/24/10

/s/ Alegría De La Cruz

ALEGRÍA DE LA CRUZ
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Counsel for Plaintiff Association of Irritated Residents

COUNSEL FOR DEFENDANTS:

Dated: 2/24/10

IGNACIA S. MORENO
Assistant Attorney General
Environment & Natural Resources Division

/s/ Rochelle L. Russell

ROCHELLE L. RUSSELL
Attorney, Environmental Defense Section
United States Department of Justice
301 Howard Street, Suite 1050

**STIPULATION TO EXTEND TIME
TO FILE A BILL AND MOTION FOR COSTS**

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2 Phone: (415) 744-6566
3 Email: rochelle.russell@usdoj.gov
4 Counsel for Defendants

5 **PURSUANT TO STIPULATION, IT IS SO ORDERED.**

6 Dated: 3/22/2010



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8 CLAUDIA WILKEN
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10 UNITED STATES DISTRICT JUDGE
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STIPULATION TO EXTEND TIME
TO FILE A BILL AND MOTION FOR COSTS